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PREVENTION OF DISCRIMINATION

PREVENTION OF DISCRIMINATION AND PROTECTION OF INDIGENOUS PEOPLES

Report of the Working Group on Indigenous Populations on its twentieth session

Chairperson-Rapporteur: Mr. Miguel Alfonso Martínez

* The annexes are being circulated as received, in the language of submission only.

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Introduction

1. The Working Group on Indigenous Populations was proposed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its resolution 2 (XXXIV) of 8 September 1981, endorsed by the Commission on Human Rights in its resolution 1982/19 of 10 March 1982, and authorized by the Economic and Social Council in its resolution 1982/34 of 7 May 1982. In that resolution the Council authorized the Sub-Commission to establish annually a working Group to meet in order to:

(a) Review developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous populations, including information requested by the Secretary General annually from Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status, particularly those of indigenous peoples, to analyse such materials, and to submit its conclusions and recommendations to the Sub-Commission, bearing in mind, inter alia, the conclusions and recommendations contained in the report of the Special Rapporteur of the Sub-Commission, Mr. José R. Martínez Cobo, entitled "Study of the problem of discrimination against indigenous populations" (E/CN.4/Sub.2/1986/7 and Add.1-4);

(b) Give special attention to the evolution of standards concerning the rights of indigenous populations, taking into account both the similarities and the differences in the situations and aspirations of indigenous populations throughout the world.

I. ORGANIZATION OF THE SESSION

A. Attendance

2. In its decision 2001/118, the Sub-Commission decided on the following composition of the Working Group at its twentieth session: Mr. Miguel Alfonso Martínez, Ms. Françoise Hampson, Mr. El Hadji Guissé, Ms. Antoanella-Iulia Motoc and Mr. Yozo Yokota. The session was attended by all of the members of the Working Group.

3. The Working Group was attended by representatives of 43 Member States, 6 United Nations bodies and specialized agencies, and 170 indigenous and non-governmental organizations. Ms. Erica-Irene Daes, former Chairperson/Rapporteur of the Working Group, also attended the session. A total of 1,076 participants were accredited to the twentieth session of the Working Group. The list of participating indigenous organizations is contained in addendum 1.

4. Mr. Rodolfo Stavenhagen, Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, and Mr. Ole Henrik Magga, Chairman of the Permanent Forum on Indigenous Issues, were invited to attend the session. Both accepted the invitation and took the floor during the closing meeting on 26 July 2002. The members of the Working Group also had an opportunity to meet informally with the Special Rapporteur and with other members of the Permanent Forum.

B. Documentation

5. A number of documents were made available for the twentieth session of the Working Group. The full list of the documentation is available in addendum 2 to the present report.

C. Opening of the session

6. A representative of the Office of the High Commissioner for Human Rights (OHCHR) opened the session. In welcoming the participants, in particular indigenous representatives who had travelled so far, she thanked the donor countries that had contributed to the United Nations Voluntary Fund for Indigenous Populations, which had enabled 78 indigenous persons to participate in the session. Over 1,000 persons had registered for the Working Group, demonstrating strong interest and commitment in a year when indigenous peoples had been active in other areas including the Permanent Forum on Indigenous Issues and the upcoming World Summit on Sustainable Development.

7. She noted a number of activities undertaken by OHCHR since the last session of the Working Group, in particular the workshop on indigenous peoples, private sector natural resource, energy and mining companies and human rights held in December 2001 and the workshop on multiculturalism in Africa held in Botswana. Under the auspices of the Voluntary Fund for the International Decade of the World's Indigenous People, OHCHR was at present supporting 43 projects for local indigenous organizations and communities. She further encouraged donors to continue to support the activities of the Fund. She also referred to the work of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and the successful first session of the Permanent Forum, which had taken place in May 2002.

D. Election of officers

8. At the first meeting of the twentieth session, Mr. Alfonso Martínez was elected Chairperson/Rapporteur by acclamation.

9. In his opening statement, the Chairperson/Rapporteur drew attention to the many problems that indigenous peoples were currently facing. Through the Working Group on Indigenous Populations, during the last 20 years indigenous peoples had been successful in raising public awareness of their pressing concerns. However, although the Working Group was celebrating its twentieth anniversary, it was also a moment of insecurity for the body. He noted the establishment of the Permanent Forum, based on a decision taken by the 1993 Vienna World Conference on Human Rights at the initiative of non-indigenous participants, a new development that had been considered by some Governments as a welcome opportunity to bring an end to the Working Group. He stressed that the creation of the new body with a totally different mandate should not be considered an excuse for eliminating the Working Group. He believed that the Working Group still had much work to do and should continue to perform its duties in accordance with its present, original mandate. Before starting the substantive work of the session he gave the floor to an indigenous person, Mr. Blackman, for an opening prayer.

E. Adoption of the agenda

10. At its first meeting, the Working Group considered its agenda on the basis of the provisional agenda (E/CN.4/Sub.2/AC.4/2002/1).

11. Mr. Yokota and Ms. Motoc proposed a new sub-item 4 (c) and a new item 8. Both proposals were agreed.

12. The following agenda was therefore adopted:

1. Election of officers.

2. Adoption of the agenda.

3. Organization of the work of the session.

4. Review of developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous people:

   Principal themes:

   (a) "The Working Group and indigenous peoples: achievements in the United Nations system and a vision for the future";

   (b) "Indigenous peoples and their right to development including participation in development affecting them";

   (c) "The future working relationship between the Permanent Forum on Indigenous Issues, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, and the Working Group on Indigenous Populations".

5. Review of recent developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous people:

   General statements, including on land issues, education and health.

6. Standard-setting activities.

7. International Decade of the World's Indigenous People, including information relating to the Voluntary Fund for the International Decade of the World's Indigenous People and the report of the Advisory Group.

8. Follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

9. Other matters:

(a) Meeting and seminars;

(b) Voluntary Fund for Indigenous Populations.

10. Adoption of the report of the Working Group on its twentieth session.

13. The Working Group held 10 public meetings during its twentieth session.

F. Adoption of the report

14. Working Group on Indigenous Populations adopted the report on its twentieth session on 6 August 2002.

II. MAJOR ISSUES RAISED BY PARTICIPANTS

15. The secretariat advised the Working Group that owing to the present financial constraints facing the United Nations, the Secretary-General had established a limit on the length of documents of 7,200 words. Following consultations with members of the Working Group, the Chairman-Rapporteur decided to organize the report accordingly. The substantive part of the report now contains a summary of the main issues raised by participants, commentaries by the Chairperson/Rapporteur and other members of the Working Group, and recommendations. The list of observers who took the floor under each item is given in addendum 3 to the report.

A. Review of developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous people

1. The Working Group and indigenous peoples: achievements in the United Nations system and a vision for the future

16. The indigenous caucus presented a statement of strong support for the Working Group. The statement emphasized that since its establishment in 1982 the Working Group had served as the focal point within the United Nations for the promotion and protection of indigenous peoples' rights. It had been the source of most of the initiatives of the past two decades, including the draft declaration on the rights of indigenous peoples, the Voluntary Fund for Indigenous Populations, the International Year and the International Decade, technical seminars on self-government, environment, health and indigenous children, studies on land and on treaties, the Indigenous Fellowship Programme, the International Day and much more. These activities had substantially raised the profile of indigenous peoples internationally. The broad mandate had nurtured the development of hundreds of indigenous experts in human rights issues.

17. In other statements, indigenous speakers also noted the role played by the Working Group in the areas of indigenous capacity-building, information-sharing, and constructing a knowledge base by providing an avenue for indigenous participation. They all strongly agreed

on the imperative need for the Working Group to continue to exist. Despite its meagre resources, the Working Group had achieved remarkable results. Resources for indigenous peoples needed to be increased, not decreased.

18. The Caucus called on the Working Group to strengthen its standard-setting activities and encouraged further work on the right to development and the principle of free, prior and informed consent.

19. Many statements by indigenous participants stressed that although the Working Group had made important contributions in terms of standard-setting activities, it had not yet exhausted this particular aspect of its original mandate. They suggested that the Working Group should now focus its standard-setting activities on: (a) a legal framework for free, prior, informed consent; (b) legal standards on intellectual property rights with a focus on traditional knowledge of indigenous peoples; (c) strengthening the "Human Rights Guidelines for Companies" drafted by the Sub-Commission's working group on the working methods and activities of trans-national corporations with a focus on indigenous peoples.

20. An indigenous representative from Canada stated that previous work such as "the Innu Nation Guidelines for the Mining Industry" carried out by indigenous peoples themselves could provide a useful basis for formulating a legal framework for the principle of free, prior and informed consent.

21. Many indigenous peoples stated that the Working Group had carried out some important analytical studies, including on indigenous peoples' relationship to land and on treaties between indigenous populations and States. They encouraged the Working Group to carry out further studies and suggested as topics: food security including the issue of genetic resources; the concept of free, prior and informed consent; and the impacts of extractive industries on indigenous peoples.

22. Indigenous peoples' representatives also suggested that the Working Group should focus its future sessions on indigenous health; the right to self-determination; the right to development in recognition of the interdependency of the spiritual, environmental, political, cultural and economic factors in development; strategies to further integrate indigenous peoples in the work of the United Nations system through a holistic approach; the Millennium Goals could be a useful framework for the last. Some indigenous representatives proposed that the Working Group explore the possibility of producing annual regional reports on indigenous peoples' situations, involving indigenous researchers in their preparation.

23. Under the sub-item, the observer for Chile stated that his Government endorsed the continued existence of the Working Group. The observer for New Zealand noted the importance of the Working Group and said that her Government was awaiting the review of United Nations mechanisms relating to indigenous peoples requested by the Economic and Social Council.

24. Mrs. Daes presented her paper on the 20-year history of the Working Group. She paid tribute to the international movement of indigenous peoples that was the greatest accomplishment of the Working Group. She reviewed the activities of the Working Group

before setting out her own ideas for its future focus. The mandate of the Working Group needed to be supplemented so that it remained the most important international forum for the world's indigenous peoples and that it could consider issues that fell outside the mandate of the Permanent Forum. She recommended that the Working Group take advantage of the knowledge and experience of other experts and academics, and called for full cooperation between the Working Group and the two new mechanisms on indigenous issues. Finally, she recommended a strengthening in the area of standard-setting.

2. Indigenous peoples and their right to development, including participation in development affecting them

25. Indigenous participants spoke about a number of issues relating to their right to development, inter alia: (a) the inextricable link between their right to self-determination and their right to development; (b) the importance of education in the realization of their right to development; (c) the urgent need for capacity-building for indigenous communities and organizations; (d) their empowerment and participation in the decision-making process as crucial components of their right to development; (e) the negative impacts on the environment due to unsustainable development; (f) adverse impacts caused by major development projects such as mining and dams; and (g) inequitable distribution of benefits of development.

26. Virtually all indigenous participants stated that their right to self-determination was a precondition for the realization of other human rights such as the right to land and natural resources, the preservation of cultural identity, and the rights to language and education, and the bedrock of their self-governance.

27. A number of indigenous participants drew attention to the fundamental role of education in the promotion of their right to development. They reiterated the urgent request for adequate access to education through educational training materials and programmes conducive to the preservation of their cultural heritage.

28. Many indigenous peoples stated that capacity-building was essential to their development and stressed the importance of empowering indigenous communities and organizations so they could decide their own development priorities and participate in the management of development projects that affected them directly and/or indirectly.

29. Many indigenous participants spoke of the need to balance the negative aspects of the current globalization process with its benefits. One negative impact that had become a grave concern was the degradation of the environment. The contribution made by indigenous peoples to sustainable development was emphasized and some indigenous participants attested to the role they played in promoting sustainable development, which was recognized in Agenda 21. They requested that multilateral aid agencies be held accountable for environmental damage caused by non-indigenous development projects that they funded without taking into account the views of indigenous peoples.

30. Of particular concern of indigenous peoples were lack of consultation about , denial of free, prior and informed consent to and unequal sharing of the benefits of development projects . There was therefore a pressing need for a legally binding instrument to monitor the activities of

the private sector and international as well as regional financial institutions including the World Bank and the International Monetary Fund, and the World Trade Organization. Participants called for respect for international norms relating to the right to development, in particular International Labour Convention No. 169, and the draft declaration on the rights of indigenous peoples. Mention was made of the findings of the World Commission on Dams, which highlighted that a fair, informed and transparent decision-making process, based on the acknowledgment and protection of existing rights and entitlements, would provide all stakeholders with the opportunity to fully and actively participate in the decision-making process. Development projects having a negative impact on indigenous peoples were said to be taking place in Bolivia, Mexico and the Philippines.

31. The issue of the protection of the intellectual property rights and traditional knowledge was also raised. It was alleged that large multinational companies were exploiting indigenous knowledge without providing any benefits to indigenous peoples.

32. The representative of UNDP highlighted recent achievements in indigenous peoples' struggles, movements and advocacy. She applauded the new interactive approach initiated by the United Nations system which had played a catalytic role in the first session of the Permanent Forum. UNDP had launched a new policy guidance note entitled "UNDP and Indigenous Peoples; A Policy of Engagement" based on the lessons learned from country and regional engagement with indigenous peoples. The policy was underpinned by the international human rights framework and its objective was to provide UNDP staff with a framework to guide their work in building sustainable partnerships with indigenous people. Aimed at fostering an enabling environment that promoted indigenous participation in all decision-making levels; ensured the coexistence of their economic, cultural, and socio-political systems with others; and developed the capacity of Governments to build more inclusive policies and programmes.

33. The representative of the World Bank drew attention to the evolution of the Bank's approach to indigenous issues. It was in the process of finalizing its revised policy on indigenous peoples and to that end had carried out numerous regional consultations with indigenous peoples. The Bank had seen some positive developments over the past decade in terms of indigenous peoples and encouraged a continued dialogue with indigenous peoples for future collaborations.

3. The future working relationship between the Permanent Forum on Indigenous issues, the Special Rapporteur on the situation of human rights and fundamental freedoms

34. Throughout the session indigenous peoples expressed their full support for the continuation of the Working Group, arguing that the Permanent Forum and the Special Rapporteur complemented rather duplicated the United Nations work in the area of indigenous peoples' rights. They encouraged all three mechanisms to work in a coordinated manner. It was stressed that the Working Group was a crutial public forum for documenting abuses of the rights of indigenous peoples and influencing the international community in relation to indigenous human rights issues.

35. A number of State observers spoke under the sub-item. The observer for the Russian Federation emphasised that the coordination of the three mechanisms was the key to the success of the United Nations work on indigenous issues. The Working Group and the Special Rapporteur could inform the work of the Permanent Forum.

36. The observer for Mexico stated that his Government was endeavouring to establish a new constructive relationship with indigenous peoples with a view to recognizing the multicultural presence and aspirations of indigenous peoples through new constitutional arrangements. The most salient issues in this process included indigenous autonomy in the framework of self-determination; judicial processes; economic, cultural and political development, and human rights in a spirit of national unity. Mexico had full confidence that the three United Nations mechanisms could establish a cooperative working relationship that would lead to a synergy for the advancement of indigenous peoples; one should not replace another.

37. The observer for Canada stated that there was a need to find the most effective manner of utilizing the three mechanisms in order to reduce duplication. He noted the outstanding work of the Working Group, the report of the Special Rapporteur, and the resounding success of the first session of the Permanent Forum. In that respect, Canada looked forward to the review of all United Nations mechanisms regarding indigenous issues by the Economic and Social Council.

38. The observer for France noted the incongruence of some government positions in relation to the continuation of the Working Group. The same States that had argued for the Permanent Forum to be in New York because of their perception that the Forum was different from the Working Group now argued for the abolishment of the Working Group. He called for a review of the various mechanisms with a view to ensuring a harmonious and complementary relationship between them.

39. The observer for Guatemala expressed his Government's support for the continuation of the Working Group, as long as indigenous peoples continued to support its work.

40. Mr. Stavenhagen expressed the view that the three mechanisms had distinct mandates and were mutually reinforcing. Indigenous peoples said that the two new mechanisms had been created because of a lack of existing mechanisms to address the human rights violations of indigenous peoples, and encouraged the three mechanisms to work in a coordinated way.

B. Review of developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous people; general statements, including on land issues, education and health

41. Issues relating to the rights of indigenous peoples that were identified as matters of serious concern included: the right to self-determination, the right to life, the right to land and natural resources, the issue of their recognition as indigenous peoples, the right to speak their own languages, the right to preserve their own cultures, the right to a religion, the right to education, the right to have a clean environment, institutionalized discrimination, rights of indigenous children and youth, the right to health, and the right not to have military installations on their lands without their explicit, freely expressed consent.

42. A number of indigenous participants stressed the need for Governments to recognize them as indigenous peoples. Peoples from Bangladesh, Indonesia, Japan and Kenya reported that their countries had failed to protect their rights as indigenous peoples as a result of non-recognition.

43. Many indigenous speakers from Bolivia, Colombia, Indonesia, the Lao People's Democratic Republic and the Philippines alleged that human rights violations, including killings, had been committed by government authorities. In many cases, high levels of militarization of indigenous lands and the operations of paramilitary forces had led to arbitrary arrests, torture, violence against women and children, serious damage to the local environment and threats to and violations of the right to life. Although indigenous peoples were aware that the Working Group could not act in these situations, they called for international action to investigate these situations.

44. A large number of indigenous representatives from Bangladesh, Bolivia, Canada, Cameroon, French Guyana, Indonesia, India, Kenya, Mexico, Myanmar, the Philippines, the Russian Federation, Ukraine and the United Kingdom spoke of the urgent need to recognize their right to land and natural resources. In this connection, they described various negative impacts of development projects being undertaken on indigenous peoples' lands, including erosion of the family and social organizational structure, degradation of the environment and destruction of sacred sites. Indigenous peoples from the Philippines specifically mentioned the need to regulate and monitor the activities of large transnational mining companies that had created conflicts and problems in indigenous communities.

45. The issue of free, prior, informed consent to development projects was also raised under this agenda item. Indigenous peoples needed to share in the benefits from development projects. Some indigenous peoples highlighted the issue of dislocation caused by development projects, the right to return to their homelands and the right to compensation.

46. The right to educate their children in their own language was an essential component of the cultural survival of indigenous. Many indigenous peoples, including those from Canada, Japan and the United States, spoke of the importance of education in their own language and in accordance with their history and culture; they also spoke of the need to protect their right to a religion.

47. A number of indigenous speakers from Canada and India also highlighted the importance of the protection of the rights of indigenous children and youth. They requested that early childhood issues, including housing and education, be adequately addressed.

48. Many indigenous peoples stressed that their way of life was entrenched in the principle of preservation of the environment; indigenous peoples were the guardians of mother earth for future generations and therefore their right to have a clean environment should be ensured.

49. Indigenous peoples from Bangladesh, Bolivia, Canada, Japan, Mexico, and the United States stated that there was institutionalised discrimination against indigenous peoples. For instance, many indigenous women alleged that they faced double discrimination in

Bangladesh. In Canada, proposed government legislation - the First Nations Governance Act - would amend the Indian Act, allegedly contradicting the recommendations of the Royal Commission on Aboriginal Peoples.

50. Indigenous representatives spoke of the poor health of their peoples in Bolivia, Central Africa, French Guyana and the Russian Federation. The heath-related problems of indigenous peoples included high rates of infant mortality, suicide, HIV/AIDS, malnutrition, measles and malaria. Problems related to situations of alleged bonded farm labour and child labour were also raised.

51. A number of positive measures undertaken by Governments were reported. For instance, the observer for Canada stated that the Government had adopted a broad-based approach to improving the quality of life of First Nations individuals, other Aboriginal people, Inuit, and those living in Canada's North. These included: the establishment of a Reference Group of Ministers on Aboriginal Policy, increased funding for Aboriginal children, measures to improve infrastructure in First Nations and Inuit communities, support for economic development initiatives, a national action plan to ensure safe and clean drinking water, measures to increase educational opportunities and workforce participation for Aboriginal people, including the establishment of the National Working Group on Education composed of 13 Aboriginal educational experts, and the tabling of a important legislation relating to Aboriginal peoples.

52. The observer for Finland also reported positive steps undertaken by her Government with a view to improving the rights of the Saami, who had been given autonomous cultural rights in 1995 while the Saami Parliament had been given control over Saami issues in 1996. The issue of land rights had been purposely left out of cultural autonomy, given the complexity of the issue, and some work and debate on the issue was taking place in the Saami Parliament. The issue of State ownership over land would be given to a decision-making board consisting of Saami and Finnish government representatives.

53. An indigenous representative from the Philippines expressed his appreciation to the observer for the Philippines for listening to the concerns of indigenous peoples expressed at the nineteenth session of the Working Group, as a result of which a mission was sent by the National Commission on Indigenous Peoples to investigate the situation of his people.

C. Standard setting activities

54. A number of suggestions were made for possible standard setting by the Working Group. These included: (a) standards on relations between indigenous peoples and mining and logging companies; (b) standards on intellectual property rights of indigenous peoples; (c) environmental and development policy guidelines that would provide the basis for assessing the success or failure of development projects that affected indigenous communities; (d) standards on indigenous health; (e) juvenile justice; and (f) guidelines for political participation of indigenous communities.

55. The slow progress of the Working Group on the draft declaration on the rights of indigenous peoples was considered by numerous indigenous speakers as proof of the lack of political will of a number of Governments to recognize the rights of indigenous peoples.

56. The observer for Cuba also expressed his concern about the lengthy adoption process of the draft declaration, stating that human rights standards relating to indigenous peoples should not be less than those set in the Universal Declaration of Human Rights. The observer for Brazil stated that the Government had ratified ILO Convention No. 169 without reservations. He believed that it was a milestone in furthering the rights of indigenous peoples in his country.

D. International Decade of the World's Indigenous People

57. An indigenous representative expressed his concern that international cooperation designed to strengthen the goals of the Decade, including human rights, the environment, sustainable development, health, culture, education, and intellectual property rights, had not brought positive results. On the contrary, indigenous peoples were deprived of their right to land and natural resources and they continued to live in poverty.

58. Some indigenous peoples also stressed the importance of indigenous knowledge and wisdom in realizing the goals of the Decade, as well as the importance of empowering the civil society, particularly young indigenous peoples.

59. Many indigenous peoples argued for a second Decade, given the fact that there was still a lot to be achieved. They further called for an increased awareness of indigenous issues as well as for the recognition of the utility of human rights to economic and social development. In this regard, the future work of the Decade should focus more on the monitoring of international aid projects and on full participation of indigenous peoples through indigenous empowerment.

E. Follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

60. Some indigenous peoples spoke of the need to pay more attention to oppression against indigenous women through gender and racial discrimination. Others drew attention to the lack of response by States to recommendations and follow-up activities to the World Conference.

61. The observer for Mexico reported that his Government had not only participated in the World Conference, but also was participating in the follow-up meetings. It was examining the Durban recommendations as closely as possible in order to address the problems of racial discrimination.

F. Other matters

62. Mr. Stavenhagen was invited to report on his activities undertaken since his appointment as Special Rapporteur in 2001. He stated that major human rights issues relating to indigenous peoples had been identified in his first report and his second report would focus on the impact of major development projects on the enjoyment of human rights of indigenous peoples, and the issue of administration of justice. He stressed that the three United Nations mechanisms on indigenous issues must work together towards the promotion of human rights of indigenous peoples in a distinc, but coherent manner.

63. Mr. Magga informed the Working Group about the main aspects of the first session of the Permanent Forum, as well as the future activities of that body, mentioning the developments which had taken place during the recently concluded session of the Economic and Social Council. He especially emphasized the need to reach a solution to the problem of the still-pending issue of Forum's secretariat as soon as possible. He said that the activities of the Forum had also been limited by a lack of funding.

III. GENERAL OBSERVATIONS BY MEMBERS OF THE WORKING GROUP

A. Review of developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous people

1. The Working Group and indigenous peoples: achievements in the United Nations system and a vision for the future

64. It is the view of the members of the Working Group, on the basis of the statements made during the twentieth, that there was unanimity among indigenous participants that the Working Group had served - and had the capability to continue to serve - as a vitally important space for them and that this vital role should be maintained and strengthened. Notwithstanding the significant contribution made by the body, participants stressed that the Working Group should not rest on its laurels but should review its work and examine how it could be even more effective in the future. Although the members of the Working Group had been aware that certain Governments were suggesting in other forums that the Permanent Forum on Indigenous Issues replace the Working Group as soon as possible, that proposal did not explicitly surface during the debate this year. In fact, not a single government speaker advocated the abolition of the Working Group. State representatives who took the floor recognized the contribution made by the Working Group and either supported the continuation of its activities or referred to the review to be prepared by the Secretary-General for the 2003 session of the Economic and Social Council. In this context, it was very important to the members of the Working Group that the twentieth session should provide an opportunity to canvass views and listen to comments on its future. That open debate, which included recommendations for ways in which the Working Group might improve its work, underlined the continuing relevance of the body.

65. The members of the Working Group noted with great appreciation the comments by the former Chairperson-Rapporteur, Ms. Daes, in relation to the 20 years of achievements of the Working Group. Her paper summarized the contributions made by the Working Group over two decades and set out a framework for future activities that could serve as a basis for the future programme of work. Her comment that the Working Group should continue to be the most important international forum for the world's indigenous peoples and that it should consider the many issues falling outside the mandate of the Permanent Forum was welcomed by the members.

66. Mr. Alfonso Martínez said that the Working Group needed to maintain and strengthen its role as a forum for dialogue among experts, Governments and indigenous peoples with a view to facilitating the understanding of many difficult situations faced by indigenous peoples in many parts of the world and the steps taken by Governments in that respect, as well as for cooperation

in the finding of possible solutions to those problems at the international level. Besides its two specific mandates, the Working Group also functioned as a space where indigenous peoples could inform the international community about new issues and served as a training ground for building the capacity of indigenous organizations and individuals in international relations, particularly with regard to the dynamics, positive potential and shortcomings of the United Nations system.

67. Ms. Hampson stated that the Sub-Commission should send a clear message to its parent body that the Working Group had a clear and uncompleted mandate. The costs of the Working Group were minimal, since no additional travel was needed for the members who were coming to Geneva for the Sub-Commission.

68. Mr. Yokota stated that the Working Group should continue because its mandate was unique. He identified areas of activity that the Working Group should carry out within its mandate. These included further analysis of treaties, elaboration of the definition of "indigenous peoples", a study/analysis of the impact of globalization and the activities of transnational corporations and international financial institutions, including the World Bank, on the rights of indigenous peoples and, in the field of standard-setting, the drafting of a code of conduct for transnational corporations involved in activities that affected the lives, health and environment of indigenous peoples. He underscored the importance of monitoring compliance with such standards.

69. Mr. Yokota suggested collecting human development indicators for indigenous peoples and assisting indigenous groups in formulating their own human development projects. He also suggested that the Working Group should encourage scientific research, with the consent of the indigenous peoples, on languages, cultures, religions and histories of respective indigenous groups.

70. Mr. Guissé said that the Working Group was important for African indigenous peoples because they would otherwise be cut off from the international commu y. Furthermore, he suggested that Government's responsibilities be identified in relation to increased World Bank involvement in projects that affected indigenous peoples.

2. Indigenous peoples and their right to development, including participation in development affecting them

71. Mr. Yokota underlined three topics that could be further developed in relation to the right to development of indigenous peoples. He said that further work might be done on the individual and collective aspects of the right and also suggested that indigenous-focused human development indicators might be elaborated. Further analysis was needed of the ways in which indigenous peoples were consulted in relation to national development projects that affected them. He encouraged efforts by Governments and financial institutions to finance and assist in the planning and formulation of indigenous projects.

72. Ms. Hampson drew attention to indigenous peoples' vulnerability when States applied coercive economic measures to other States and said that special attention should be given to assisting them.

73. Noting that indigenous peoples were among the poorest of the poor, Mr. Guissé raised a number of issues concerning their right to developments. Indigenous peoples' natural resources had been exploited in a detrimental manner. He called for a legal framework in which binding standards would govern the actions of the TNCs whose activities impacted indigenous peoples. Such standards should also include the possibility of penalties for failure to respect them.

3. The future working relationship between the Permanent Forum on Indigenous Issues, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, and the Working Group on Indigenous Populations

74. The Chairperson/Rapporteur, Ms. Motoc and Ms. Hampson underlined the importance of relaunching the Working Group and giving it new energy. Now was not the time to close down the Working Group as the Permanent Forum was still a new body. In addition, they underlined that the Permanent Forum did not yet have a secretariat or assured funding, and it was still unclear how the Forum would work. Mr. Alfonso Martínez recalled that whether the Permanent Forum will continue after its five-year mandate will depend on the results of the review of its performance scheduled to be undertaken by the Economic and Social Council in 2007-2008. Ms. Motoc also noted that different bodies with the same mandate tended to compete with each other, but expressed the hope that the two bodies would complement each other and work together.

75. Mr. Yokota warned that to avoid overlapping and maximize effectiveness it was important to coordinate the activities of the Permanent Forum, the Special Rapporteur and the Working Group.

B. Review of recent developments: general statements

76. As in previous years, the item set aside for a review of recent developments attracted large numbers of speakers, particularly indigenous representatives who provided information about their situations. A significant number of these statements raised issues of concern, including about grave violations of human rights. Notwithstanding, the members of the Working Group strongly believe that its mandate does not permit it to pass judgement and/or make recommendations in regard to specific allegations. However, in accordance with its present mandate there is recognition of the need to maintain an open and democratic space in which issues of concern to indigenous peoples and communities could be brought to the attention of the non-indigenous communities within the societies in which they coexisted today, as well as of international public opinion. Furthermore, the Working Group also receives information about positive developments taken by States as well as reports of action taken as a result of matters drawn to the attention of the Working Group.

C. Standard-setting activities

77. Ms. Hampson emphasized that the Working Group should focus on standard-setting, as is in its mandate, and suggested that possible topics could be the relationship of indigenous peoples with international bodies. The process of standard-setting should also include the review of implementation and monitoring practices.

79. Mr. Guissé stated that the Working Group had a responsibility to draw up rules for political, economic and social rights for indigenous peoples. Ms. Motoc stated that it would be important to include external experts, both indigenous and others such as Ms. Daes, in developing standards.

D. International Decade of the World's Indigenous People

80. The Chairperson/Rapporteur recalled that the General Assembly in resolution 50/57 had assigned the Working Group a specific role in connection with the International Decade, namely, "to review international activities undertaken during the Decade and receive information from Governments on the implementation of the goals of the Decade in their respective countries."

E. Voluntary Fund for Indigenous Populations

81. Ms. Hampson suggested that it would be useful if the secretariat of the Fund could include information about whether the applicant is a young person.

IV. CONCLUSIONS AND RECOMMENDATIONS

Agenda item 4 - Review of developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous people: (a) The Working Group and indigenous peoples: achievements in the United Nations system and a vision for the future; (c) The future working relationship between the Permanent Forum on Indigenous Issues, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, and the Working Group on Indigenous Populations

82. The Working Group concluded that following the first session of the Permanent Forum there indeed existed a real danger that the Working Group's mandate could be cancelled and the Group terminated as a result of the review of all United Nations mechanisms, procedures and programmes concerning indigenous issues, "including the Working Group on Indigenous Populations", that the Economic and Social Council is to undertake in 2003 in order "to rationalize activities, avoid duplication and overlap and promote efficiency". It must be noted with concern that such a review would take place in the Council, to which only very few indigenous organizations had access.

83. The Working Group concluded that it was necessary to thoroughly explore practical steps to establish and expand cooperation among the three bodies now existing within the United Nations in the sphere of indigenous issues.

84. The Working Group agreed that the establishment of two new bodies in this field, together with the review to be taken by the Council, should serve as a catalyst for a thorough reflection on the Working Group that should lead to an action-oriented programme of work and a consideration of new and improved methods of work. The Working Group recognized that its own work was under scrutiny and that it should strive both to ensure the effective discharge of its functions and to complement the new mechanisms. It also recognized that the present conjuncture within the Working Group was propitious for a concerted effort by all members to reinvigorate it through renewed efforts and commitment.

85. In this connection, it took due note of the results of the first session of the Permanent Forum on Indigenous Issues held in New York on 13 and 24 May 2002, and of the matters brought to the attention of the Economic and Social Council. It also noted the difficulties faced by this new body owing to the lack of the necessary funds to perform adequately the functions included in its mandate. The Working Group decided to explore at its twenty-first session (2003) ways and means to develop cooperation with the Permanent Forum, and to request the Chairperson-Rapporteur to submit a short working paper to that effect. It also decided to request the Sub-Commission and its superior bodies to authorize the Chairperson-Rapporteur to participate in the Forum's second session, to be held in New York in April/May 2003.

86. The Working Group congratulated Mr. Rodolfo Stavenhagen, the Special Rapporteur on the situation of the human rights and fundamental freedoms of indigenous people, for his first report and welcomed his willingness to establish close cooperation with the Working. It further decided to request Mr. Yozo Yokota to submit to the twenty-first session (2003) a short working paper on this issue.

Agenda item 4 (c) - Indigenous peoples and their right to development, including participation in development affecting them

87. The Working Group concluded that the establishment of human development indicators specifically intended to fully reflect the actual socio-economic situation of indigenous peoples was absolutely necessary to perceive the real dimension of some of the problems affecting the daily life of indigenous peoples. The Working Group decided to recommend that the Sub-Commission request UNDP and other pertinent United Nations bodies to develop such indicators and include them in their periodic publications on this matter.

88. In the light of the advances made in the work of the Sub-Commission on this issue and the results of the recent seminar on the question, the Working Group also decided to request Mr. Miguel Alfonso Martínez to submit at its twenty-second session (2004) the working paper on indigenous peoples' relationship with natural resource, energy and mining companies requested in 1997.

89. The Working Group decided to request Mr. Yokota to submit at its twenty-first session (2003) a working paper on the possible elaboration of draft guidelines relating to transnational companies whose activities affect indigenous communities, with particular emphasis on elements that would contribute to a better consultative process, equitable benefit-sharing and conflict resolution.

90. The Working Group further decided to recommend to the Sub-Commission that it request the High Commissioner for Human Rights to explore with the United Nations Conference on Trade and Development (UNCTAD) and the International Labour Organization (ILO) the possibility of jointly organizing in 2003 a seminar on the practices of transnational corporations affecting the rights of indigenous peoples and possible measures to put an end to such situations.

Agenda item 5 - Review of recent developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous people: general statements

91. The Working Group reaffirmed the fundamental importance of this item, noting in particular that indigenous participants, especially those who were most disadvantaged, strongly supported the opportunity to provide information on their current situations to the expert body.

92. The Working Group expressed appreciation to all participants. It particularly welcomed the decision of those States that accredited delegations composed of senior government officials and experts, and noted their willingness to enter into dialogue, provide relevant information and take interest in the ongoing proceedings. It also appreciated the contributions of the organizations of the United Nations system, including in particular UNDP, ILO, WHO, UNESCO and the World Bank.

93. The Working Group agreed with the many participants who suggested that the method of proceeding under the item needed to be re-evaluated and refocused. Accordingly, it DECIDED that at its twenty-first session, it would structure the general debate on this item on the basis of the various issues that had been brought to its attention by all the participants in the discussions held at the twentieth session. In the letter convening the Group's session, the secretariat would provide details on the practical aspects of this new method of work. The Chairperson-Rapporteur, when opening the debate, would encourage indigenous participants to cluster their statements in such a way as to facilitate an interactive dialogue both with the members of the Working Group and with States.

94. The Working Group recognized that indigenous peoples were disproportionately and negatively affected by the process of present-day globalization, and decided to choose as the principal theme for its twenty-first session "Indigenous peoples and globalization." In this respect, it further decided to request Mr. Guissé to prepare a short working paper to serve as a framework for the discussions that could be prepared well in advance and circulated to participants.

95. The Working Group also decided to recommend to the Sub-Commission to request Governments, specialized agencies, regional and other intergovernmental organizations and NGOs (in particular, indigenous organizations) to submit annually to the Working Group the information they deem useful on developments pertaining to the promotion and protection of human rights, fundamental freedoms and other rights of indigenous peoples, in sufficient time to allow the Working Group to analyse such information, and, on that basis, to submit conclusions and recommendations to the Sub-Commission if need be.

Agenda item 6 - Standard-setting and other research activities

96. The Working Group agreed with the comments made by participants concerning the importance of undertaking new standard-setting work. To this effect, it decided to request Ms. Motoc to submit at its twenty-first session (2003) a list (with commentary) of standard-setting activities that might be developed by the Working Group at its future sessions.

97. The Working Group also decided to request Ms. Hampson to submit at its twenty-first session (2003) a working paper containing commentaries to the most important (or controversial) provisions of the draft declaration on the rights of indigenous peoples.

98. The Working Group further decided to request the Chairperson-Rapporteur to submit at its twenty-first session a list (with commentary) of possible new studies to be undertaken by members of the Group in the immediate and medium-term future.

Agenda item 7 - International Decade of the World's Indigenous People

99. The Working Group concluded that the most adequate manner to culminate the International Decade would be for the United Nations to convene a world conference on indigenous peoples. It decided to recommend to the Sub-Commission to request the High Commissioner for Human Rights, as Coordinator for the Decade, to explore, as soon as possible, the possibility of convening such a conference no later than during the summer of 2004.

100. The Working Group decided to appeal to States to contribute generously to the Voluntary Fund for the International Decade so that it could strengthen its activities in the remaining two years of the Decade.

101. The Working Group decided to recommend to the Sub-Commission to invite the Commission to request the Council to authorize the seminar on treaties, agreements and other constructive arrangements between indigenous people referred to in Commission resolution 2002/63. It also decided to request Mr. Alfonso Martínez to submit to the Sub-Commission at its fifty-fourth session a short working paper identifying the themes and possible outputs of such a seminar, for the consideration of the Commission at its fifty-ninth session.

Agenda item 8 - Follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

102. The Working Group took note of the Durban Declaration and Programme of Action and welcomed the extensive references to the continuing discrimination faced by indigenous peoples and the urgency for action to combat disadvantage. In the light of the pertinent recommendation adopted by the World Conference, the Working Group decided to review annually the developments related to the implementation of the Programme of Action and to submit proposals to the Sub-Commission on this matter. It further decided to invite indigenous organizations and the indigenous caucus to submit at its twenty-first session a working paper on other appropriate practical actions that might be undertaken by the Working Group in this respect

Agenda item 9 - Other matters

103. The Working Group decided that its agenda for 2003 would be as follows: 1. Election of officers; 2. Adoption of the agenda; 3. Organization of the work of the session; 4. Review of developments: (a) General debate; (b) Principal theme: "Indigenous peoples and globalization"; 5. Standard-setting; 6. Other matters: (a) Cooperation with other United Nations

bodies in the sphere of indigenous issues; (b) Follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance; (c) Review of international activities undertaken under the International Decade of the World's Indigenous People; (d) State of the Voluntary Funds.

104. The Working Group decided, in principle, to establish as principal themes for its twenty-second (2004), twenty-third (2005) and twenty-fourth (2006) sessions, respectively, the following matters: "Conflict resolution of indigenous issues", "Domestic and international protection of indigenous traditional knowledge" and "indigenous children and youth.

105. The Working Group paid tribute to Ms Erica-Irene Daes, Chairperson-Rapporteur of the Working Group for nearly two decades, and decided to declare her an honorary member of the Working Group, encouraging her to take part in future proceedings and to submit written communications that the Working Group might request from her in that capacity. It further decided to request the Sub-Commission to endorse this decision.

106. The Working Group, noting the full participation of indigenous peoples in the first session of the Permanent Forum on the basis of the practices of the Working Group on Indigenous Populations, decided to request the Sub-Commission to respectfully recommend to the Commission on Human Rights that it amend its procedures, so as to make possible the full participation by indigenous organizations in the working group on the draft declaration on the same basis as they participated in the Working Group on Indigenous Populations.

107. The Working Group, noting that the Voluntary Fund for Indigenous Populations had been expanded to include applications from indigenous organizations wishing to participate in the Permanent Forum on Indigenous Issues, decided to appeal to States to contribute generously to the Fund to enable it to respond adequately to the increasing demand from indigenous organizations.

108. The Working Group decided to pay special tribute to (DOCIP) for the invaluable technical support it has given for many years to indigenous peoples during their participation in the Working Group's sessions. It also decided to congratulate the NGO team that prepared the daily newsletter in English, French and Spanish for the excellent job done. Their contribution to the work of the Working Group was especially welcome given the new restrictions on the length of official reports since it provided a comprehensive summary of interventions.

109. As part of the ongoing re-evaluation of its methods of work, and exploring possible ways and means to strengthen its capacity for scientific output, the Working Group decided to request the secretariat to update its mailing list of indigenous and non-indigenous academic research institutions, with the purpose of inviting them to contribute, without financial consequences, to the studies, research and standard-setting activities envisaged by the Working Group in the immediate and medium-term future.

110. With respect to the letter received from the Leonard Peltier Defense Committee dated 26 July 2002 inviting all members of the Working Group to visit Mr. Peltier at Leavenworth Penitentiary, where he is incarcerated, in order to discuss his case. The Working Group decided, for lack of time, to discuss the matter fully at its next session.

Annex I

LIST OF ATTENDANCE

The following 43 States Members of the United Nations were represented by observers: Algeria, Argentina, Australia, Austria, Bahrain, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cyprus, Denmark, Federation of Russia, Finland, France, Greece, Guatemala, Haiti, Honduras, India, Italy, Japan, Libyan Arab Jamahiriya, Malaysia, Mauritius, Morocco, Myanmar, Nepal, New Zealand, Nicaragua, Norway, Peru, Philippines, Romania, Slovakia, South Africa, Spain, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela,.

The following non-member States were represented by observers: Holy See, Switzerland.

The following United Nations bodies and specialized agencies were also represented by observers: International Labour Office (ILO), United Nations Development Programme (UNDP), World Bank, World Intellectual Property Organization (WIPO), World Health Organization (WHO), United Nations Educational, Scientific and Cultural Organization (UNESCO), UNICEF Innocenti Research Centre.

The following non-governmental organisations in consultative status with the Economic and Social Council (general consultative status, special consultative status and Roster) were represented by observers:

Aboriginal and Torres Strait Islander Commission, American Indian Law Resource Centre, Centre Europe-Tiers Monde, Comision Juridica Para El Autodesarrollo de Los Pueblos Originarios Andinos, Grand Council of the Crees, Consejo Indio De Sud America, Indian Law Resource Centre, International Federation for the Protection of Ethnic, Religious, Linguistic, and other Minorities, Innu Council of Nitassinan, International Society for Threatened Peoples, Syriac Universal Alliance, Shimin Gaikou Centre, Linguistic and Other Minorities, Interfaith International, International Indian Treaty Council, International Movement Against Discrimination and Racism, International Working Group on Indigenous Affairs, International Service for Human Rights, Inuit Circumpolar Conference, National Aboriginal and Islander Legal Services Secretariat, Russian Association of Indigenous Peoples of the North, Saami Council, World Council of Churches, World Sindhi Congress.

The following indigenous peoples' organizations and nations, as well as other organizations and groups, were represented at the twentieth session and provided information to the Working Group with its consent:

Aboriginal Business Leaders and Enterprises, African Indigenous and Minority Peoples Organisation, African Union of Club of Cote D'Ivoire, Afroamericans, Afro Group Artists For Peace, Agencia International De Prensa India, Ainu Association of Hokkaido, Ainu Resource Centre, Aktionsgruppe Indianer and Menschenrechte, ALIFIRU, Altay Regional Public Organisation of the Kumendin People, Alliance of Indigenous people of Sulawei Tengah, Amasuta of Sutawesi Tengali, Almaciga, Ambedkar Center For Justice and Peace, ANIPAR,

Apache Survival Coalition, Arbeitskreis Tourismus and Entwicklung, Asia Indigenous Peoples Pact, Asociacion Cultural Sejekto de Costa Rica, Asociacon de Criadores de Camelidios Andinos, Assembly of First Nations, Association des Chantiers Assais D'Echange Educatif et Culturel, Asamblea del Pueblo Guarani, Association of Crimean Karaimes, Association of Young Indigenous Peoples in the Ryukus, Association of Indigenous Peoples in the Ryukyus, Association of Indigenous Peoples-Primorkshy Region, Association of Indigenous Peoples of the North of the Khabarousk Region, Association Katuyumar Veyrier, Asociacion Mujeres, Association of Nepalese Indigenous Journalists, Association of the Shor People, Association of Indigenous people of Sachalin Region, Association of Young Okinawin Ryuku, Association of Indigenous People in Ryukyu, Association Pour le Developpement Global Des Batwa, Association Shoria, Association Socio-Culturelle Tigmi Kabyle, Association Tamaynut, Association Tin-Hinan, Association TUNFA, Association Wambli Glesca, Armelles Breiz Femmes, Bangasamoro Assembly, Bartolina Sisa, Bawm Indigenous Peoples Organisation, Black Hills Teton Soux Nation, Borok People's Human Rights Organisation, Buffalo River Dene Nation, Cactus Valley, Canadian Friends Service Committee, Canadian Indigenous Women's Resource Institute, CAPDA, Capitania Guarani Zona Santa Cruz, CEA-CISA, CAMCAPC, Central Andina De Mujeres Campesinas, Centre Des Droits Des Batwa, Centre De Recherches Interdisciplinaires en Anthropologie, Centre For Organization, Research and Education, Centre For Sustainable Development, Centre For Indigenous Environmental Resources Inc, Centre For progress Of manipuri People, Centre D'Acompagnement Des Autochtones Pygmees Et Minoritaires Vulnerables , Centro Cultural De Difusion Andina, Centro De Ecologia Holistica, Centro De Educacion Campesina, Centro De Estudios Aymaras, Centro de promocion Para el Dessarrollo Communal, Centro De Recherche Sur L'Amerique Latine, Centro Documentacion Sociolinguistica, Chagos Refugee Group, United Kingdom Chagos Support Association, Chakma Indigenous Community, Chin National League for Democracy, CODAP, Collectif d'Etude de Developpement et de Recherche en Ethnomedicine, Commission Amazighe Internationale pour le Developpement et les Droits de l'Homme, Comite De Solidaridad Triqui, Comite De Solidarite avec les Indiens des Ameriques, Committee on Indigenous Health, Comite Exterieur D'Appui au Conseil Indien d'Amerique du Sud, Comite Suisse de Soutien aux Chagossiens, Comuidad Campesina « San Lorenzo », Comunidad Indigena de Cheran Michoacan, Comunidad Indigena Santa Cruz de Ayrilmas, Communaute des Autochtones Rwandais, Confederation des Associations Amazighes du Sud, Confederacion Nacional de Criadores de Llamas, CONAMAQ, CONACANP-Peru, Congreso Nacional Indigena, Conseil National des Peuples Autochtones de la Nouvelle Caledonie, Consejo de Desarrollo de las Nacionalidades y Pueblos de Ecuador, Consejo De Organizaciones Tukum Umam, Consejo del Saber Qulla, Consejo Gitanu, Consejo Guerrerense Sector Amuzgos, Consejo Indio De Sud, Consortium D'Appui aux Actions pour la Promotion et le Developpement de l'Afrique, Coordenacao das Organizacoes Indigenas da Amazonia Brasileira, Cordillera Peoples Alliance, Council of Anawa Indigenous Peoples, Council of Itelmans People, Crimean Tatars, Crimean Karaites, Cultural Center Thynoandes, Cultural Centre of Indigenous peoples of the Sayau Altai Region, Cultural Survival, CRAL, Dalit women Literary Parishad, Dewan Adat Papya, Dhanabir Laishram, DKIEK Rural Internatonal Project, Dodo's Egg, Ecospirituality Foundation, Elsham West Papua, Espacio Afroamericano, Estacion Experimental de Valhal, Ethno-Ecological Information Centre in Kamchatka, ETNIA Comueros, Evenk Association of Neryungi, Federacao Indigena Brasil, Federacion Bartolina, Federation of Methodist and Uniting Women, Federation des Organisations Autochtones de Guyane, Femmes Celtes, Federation des

Associations Amazighes du Maroc, Fenocin, Finno-Ugric Peoples, Foro Indigena Centro Occidente, Foundation for Aboriginal and Islander Research Action, Foundation of Human rights in Maniema, FRAPNA, Friends of Peoples Close to Nature, Fundacion Naupamam, Fundacion Rhumy Wara, Global Country of World Peace, Grassroots Womens' Workers Centre, Harmony Coalition, Hatun Wasi, Hawaiian Civil Club, Hawaii Institute for Human Rights, Health and Environment Programme, Hojas de Hierba, Hmejezie Organisation, Hmong International Human Rights Watch, Hmong United Liberation Front, Huisen Women's Organisation, INCOMINDIOS, Imam Organisation, Indian Confederation of Indigenous and Tribal Peoples, Indigenous Dialogues Foundation, Indigenous Nationalist Party of TWIPRA, Indigenous Organisation-CAURWA, Indigenous peoples of Africa commission, Indigenous peoples of North of Khaboursk Region, Indigenous Peoples and Nations Coalition, Instituto de Estudios de la Tradiciones Sagradas de Abya Yala, International Commission for the Rights of Aboriginal People, International Juma Peoples Links, Japanese Association of International Women's Rights, Kebager Te ked-Inged, Khoekhoegowab Curriculum Committee, Kirat Rai Language and Literacy Council, Kirat Yakthung Chumlun, KWIA, Land is Life, Lao Human Rights Council, Lelio Basso International Foundation For The Rights and Liberation of Peoples, LEMASA-TIMIKA, Leonard Peltier Defense Committee, Literary Academy for Dalit of Nepal, Lumad Peoples Movement For Peace, MAA Aids Awareness Programme, Manipur International Youth Centre, Manyoito Dastorashi, Maori Land Trust, Mapu International Link, Mbororo Social and Cultural Development Association, MBOSCUDA, Mena Muria Foundation, MEICSD, Metis Nation of Alberta, Mission Mondiale de Refuge, Mont Elgon Dorobo Community, Movimento Runa, Movimiento Indigena de Tungurahua, Mujeres Indigenous In Accion, Murkele Organisation, MBUYU Foudation, Naga Peoples Movement For Human Rights, Na Koa Ikaika O Ka Hawaii, Naturaleza, Cultura Y Sociedad, Nbguana, Nederlands Centrum, Neighbours Initiative Alliance, Nepal Federation of Nationalities, Norway House Cree Nation, Nouvelle Afrique, Ocaproce International, Ogiek Welfare Asspociation, OIDEL, Okiek Rural Integral project, Okinawans, Onsino Mato of the Siocon Subanon Association, Organization For Survival of IL-LAIKIPIAK Indigenous Maasai, Organisation of Mujeres Quechua, OSILIGI, OTM, Pacific Asia Council of Indigenous Peoples, Pagkakaisa Ng Aeta Ng Pinatubo, Paran Integrated Programme, Parbatya Kammayoga Foundation, Parlemento Indigena De America, Peace 2000, Peace Campaign Group, Phillipine Indigenous peoples Links, Pigsalabukan Di Bansa Subanon, Prensa Indigena, Presidum Dewan Papua, Programma Desarrollo Economico y Social de la Mujer, Programa Kichin Konojel, Pygmees De Lomela, PURHEPECHA Mexico Association, Rangamati Hill Tracts of Bangladesh, Rehab Hope Fund, Rehoboth Baster, Nahua y Pueblos Indigenas del Estado de Veracruz, Reto Women Association, Rio Tinto, Saddle Lake Tribal People, Semgwer Indigenous Development Project, Semiotics Research Centre, Sido Murmu Foundation, Simba Maasai Outreach Organisation, Siocon Subanon Association, Sociedad Coperativa De Cafe "Ollin", Sociedad Coperativa de Desarrollo Comunitario, Soleil Indien du Paraguay, SOPAM, Southern Mongolian Human rights Information Center, SUANPA, Survie Touaregue-Temoust, Survival Coalition, Shishii Chandra Singha, Tagatz (Tuareg) Algerie, Tchichitt (Niger), Tebtebba Foundation, Terra Nuova, Association Katuyumar Veyrier, The Colour Me Freedom Foundation, Cultural Centre of Indigenous Peoples of the Sayan Altai, The Eastern Door, Tomwo Development Intitiatives, Tribal Link Foundation, Tribal Women's Artists Cooperation, Tuawhenua Maori Land Trust, Tucanos Community, UNESCO Centre of Catalonia, UNESCO ETXEA, , Union De Mujeres Tejedoras Zapotecas De Teotitlan Del Valle Oaxaca, Union Pour La Development Des Minorities, United Kashmir Peoples National Party, United Zo Indigenous People,

United Keetoowah Band of Cherokee Indians, United Metis Nations of the United States of America, Universal Forum of Cultures, Village Suisse, Voices For Peace, Waikiki Hawaiian Ciric Club, West Papua Indigenous Community Development, Working Circles Indians Today, Wpréd ADIVASI Council (WAC), World Economy Ecology and Development, Yankuikanahuak International, Yorganop Child Care Aboriginal Cooperation, Youth and Social Welfare of Shiska Kristi Sangha, Zo Reunification Indigenous People.

In addition to the above-mentioned participants, a number of individual scholars, human rights experts, human rights defenders and observers attended the meetings:

UNED, Docip, Institute For Ecology And Action Anthropology, Laval University, Meiji University, National Center of Scientific Research, Reindhardt College, St Alfred's School, Uppsala university, University of Alaska Fairbanks, University of Berlin, University of Bern, University of California, University of Columbia, University of Copenhagen, University of Depaul, University of EEUSTO, University of Florence, University of Geneva, University of Hawaii, University of Italy, University of Japan, University of Keele, University of Lausanne, University of Liverpool, University of Madrid, University Marc Bloch, University of Middlesex, University of Milan, University of Newcastle, University of New Mexico, University of Notre Dame, University of Ostmark, University of Oxford, University of Parma, University of Toulouse-Le-Marail, University of Tours, University of Tulsa, University of Washington.

Annex II

LIST OF DOCUMENTS

The following documents were prepared for the twentieth session of the Working Group on Indigenous Populations:

Agenda	E/CN.4/Sub.2/AC.4/2002/1
Annotated Agenda	E/CN.4/Sub.2/AC.4/2002/1/Add.1
Private Sector Workshop	E/CN.4/Sub.2/AC.4/2002/3
Botswana Workshop Report	E/CN.4/Sub.2/AC.4/2002/4
Media Workshop Paper-WCAR Report	E/CN.4/Sub.2/AC.4/2002/5
Voluntary Fund for Indigenous Populations	E/CN.4/Sub.2/AC.4/2002/6
Voluntary Fund on the Decade	E/CN.4/Sub.2/AC.4/2002/7
Indian Movement Tupaj Amaru Racial Discrimination Against Indigenous Peoples	E/CN.4/Sub.2/AC.4/2002/WP.1
Indigenous Peoples' Millennium Documents Statement - English	E/CN.4/Sub.2/AC.4/2002/WP.2
Indigenous Peoples' Millenium Documents Resolution - English	E/CN.4/Sub.2/AC.4/2002/WP.3
Indigenous Peoples Millenium Documents - Review of the UN Decade - English	E/CN.4/Sub.2/AC.4/2002/WP.4
Indigenous Peoples' Millenium Documents Statement - Spanish	E/CN.4/Sub.2/AC.4/2002/WP.5
Indigenous Peoples' Millenium Documents - Spanish	E/CN.4/Sub.2/AC.4/2002/WP.6

Indigenous Peoples' Millenium Documents - Review of the UN Decade - Spanish	E/CN.4/Sub.2/AC.4/2002/WP.7
Indian Movement Tupaj Amaru Right to Development And Sovereignty of Natural Resources	E/CN.4/Sub.2/AC.4/2002/WP.8
Conclusions Constructive Arrangements between Indigenous Peoples' and States - Seville English	E/CN.4/Sub.2/AC.4/2002/WP.9
Conclusions Constructive Arrangements between Indigenous Peoples and States - Seville Spanish	E/CN.4/Sub.2/AC.4/2002/WP.10
Report of Constructive Arrangements between Indigenous Peoples and States - Seville Spanish	E/CN.4/Sub.2/AC.4/2002/WP.11

Background Papers

WG Paper on Indigenous Peoples And their relationship to land by Erica Daes	E/CN.4/Sub.2/2001/17
Report of the WGDD	E/CN.4/2002/98
Report of the Working Group on Indigenous Populations on its nineteenth session	E/CN.4/Sub.2/2001/17
Permanent forum on Indigenous Issues Report 2002	E/2002/42 Supplement 43

Annex III

LIST OF INTERVENTIONS BY OBSERVER DELEGATIONS

Item 4(a): Achievements in the United Nations system and a vision for the future:

Indigenous Caucus, Mujeres Indigenas en Accion por la Vida, Reto Women Association, Comision Juridica para el Autodesarrollo de los Pueblos Originarios Andinos, New Zealand, Association of Indigenous Peoples in the Ryukyus, Shimin Gaikou Centre, Indigenous Peoples and Nations Coalition, Kebager TeKed-Inged, Phillipine Indigenous Peoples Links, Mohawk Nation at Kahnawake, Federation des Associations Amazighes du Maroc, Altay Regional Public Organization of the Kumandin People, Mejlis of Crimean Tatar, Indigenous Nationalist Party of Twipra, Congress Mondial Amazigh Indigenous Peoples of Africa Coordinating Committee, Aboriginal and Torres Strait Islander Commission, Foundation for Aboriginal and Islander Research Action, Inuit Circumpolar Conference, Tomwo Development Initiatives, Chile, International Indian Treaty Council, Nguana, Saami Council, Tupaj Amaru, Programa kichin Konojel, Guatemala, Espacio Afroamericano.

Item 4b: Indigenous Peoples and their right to development including participation in development affecting them:

Ballotiral (Mbororo of Cameroon), Huisen Women's Organization, Tupaj Amaru, Centre for Progress of Manipuri People, Peace Campaign Group, Hmong International Human Rights Watch, Canada, Armelles Breiz Femmes Celtes, Confederation des Associations Amazighes du Sud, Grand Council of the Crees, Innu Council of Nitassinan, World Adivasi Council, Apache Survival Coalition, Comite Suisse de Soutien aux Chogossiens, Buffalo River Dene Nation, SUANPA, Naga Peoples Movement for Human Rights, Bangsamoro Assembly, FENOCIN - Ecuador, DKIEK Rural International Project, Movimiento Indigena de Tungurahua, Lao Human Rights Council, CRAL, Hojas de Hierba, Cordillera Peoples Alliance, Global Country of World Peace, Semiotics Research Center, Federacion Bartolina, Communaute des Autochtones Rwandais, MEICSD (Kenya), Mejlis Crimean Tatar, Simba Maasai Outreach Organization, Programa kichin Konojel, Paran Integrated Program, Association of the Shor People, Canadian Friends Service Committee, Consejo Indio de Sud America, Tagatz (Tuareg) Algerie, Tebtebba Foundation, Commission Amazigh internationale pour le Developpement et les Droits de l'Homme, Confederacion Nacional de Criadores de Llamas, Alpacas y Vicunas del Peru, OSILIGI, Comision Juridica para el Autodesarrollo de los Pueblos Originarios Andinos, Central Andina de mujeres Campesinas, United Nations Development Programme (UNDP), Centro de Ecologia Holistica Otorongo, World Bank, United Zo Indigenous Peoples, Indigenous Peoples and Nations Coalition of Alaska, Association of Indigenous Peoples in the Ryukyus, PURHEPECHA, Association of Crimean Tartars, Cactus Valley Red Willow Springs Sovereign Community of Big Mountain, Tin Hinan, International Juma Community, Centro de Promocion para el Desarrollo Comunal, Association Shoria, Metis Nation of Alberta, Asociacion de Criadores de Camelidios Andinos, World Sindhi Congress, Kirat Yakthung Chumlung, OCAPROCE International.

Item 4c: The future working relationship between the Permanent forum on Indigenous Issues, the Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People and the Working Group on Indigenous Populations:

Russian Federation, Mexico, Ainu Resource Centre and Association of Indigenous Peoples in the Ryukus, Federacion des Povos indgenas do Brasil, Canada, World Council of Churches, International Indian Treaty Council, OTM

Item 5: Review of recent developments - General Statements including on land issues, education and health:

Assembly of the First Nations, Cordillera Peoples Alliance, Voices for Peace, Khoekhoegowab Curriculum Committee, Centre For Progress of Manipur Peoples, Jumma Peoples Link, Bawm Indigenous Peoples Organisation, Canada, Grand Council of the Crees, Innu Council of Nitassinan, Zo Reunification Organisation, Apache Survival Coalition, Chagos Refugees Group, UK Chagos Support Association, Core Manipur, SUANPA, Naga Peoples Movement for Human Rights, Federation des Organisations Autochtones de Guyane, Lao Human Rights Council, Na Koa Ikaika O Ka Hawai'i, Programa kichin Konojel, Manyoito Dastorahsi, Centro de Educacion Campesina, Asamblea Pueblo Guarani, Association of Indigenous Peoples of Sachalin Region, Consejo del Saber Qulla, Leonard Peltier Defense, Health and Environment Program, Murkele Ceram Organization, Amasuta of Sutawesi Tengali, Yator Kiptum of Sengwer Indigenous, Tupaj Amaru, African Indigenous Women's Organisation-Central African Network, Ainu Resource Centre, Association of Indigenous People of the North of the Khabarousk Region, Tagazt (Tuareg) Algerie, Indigenous People of North of Khaboursk Region, Consejo Indio de Sud (Bolivia), Hmejezie Organization, Association of Young Okinawa in Ryukyu, Association of Indigenous People in Ryukyu, OCAPROCE Internationale, Siocon Subanon Association, Cultural Centre of Indigenous Peoples of the Sayan Altai Region, Evenk Association of Neryungi, International Indian Treaty Council, Ethno-Ecological Information Centre in Kamchatka Council Iltelmans People, Association of Crimean Karaites, Mejlis Crimean Tartars, Finland, Dewan Adat Papya, Consejo Nacional de Pueblos Nahuas del Alto Balsas, CONMAQ, UNESCO, Ambedkar Centre For Justice and Peace, Imam Organisation, Aboriginal and Torres Strait Islander Commission, Foundation for Aboriginal And Islander Research Action, Sociedad Civil de Desarrollo Comunitario, Estacion Experimental de Valhall, Rehab Foundation, Hawaiian Civic Club, Indigenous Peoples and Nations Coalition, Masaai Aids Awareness Programme, Raohod Community, Ogiek Welfare Association, New Zealand, Chile.

Item 6: Standard-setting activities:

Grand Council of Cree, Innu Council of Nitassinan, Philippines Indigenous Peoples Links, Mejlis of Crimean Tartar People, Raipon, Aboriginal and Torres Strait Islander Commission, Foundation of Aboriginal International research Action, Suanpa, Mbuyuyu Foundation, Core, Centre for Indigenous Environmental Resources, Committee on Indigenous Health, Tebtebba Foundation, Brazil, National Aboriginal and Islander Legal Services Secretariat, Cuba.

Item 7: International Decade of the World's Indigenous People including information relating to the Voluntary Fund for the International Decade of the World's Indigenous People and the report of the Advisory Group:

Tupaj Amaru, Russian Association of Indigenous Peoples of the North, Centro Educacion Campesina de Bases, Aboriginal and Torres Strait Islanders Commission, Centre For Sustainable Development, Asociacion Mujeres Quechua Ayllu Puno Peru, Movimiento Runa, World Adivasi Council, Meijlis of the Crimean Tatar People, Centro de Ecologia holistica Otorongo, Aymara Lupakas Communities, International Indian Treaty Council.

Item 8: Follow up t › the World Conference Against Racism Xenophobia and Related Intolerances Zo Reunification Organisation, Aboriginal and Torres Strait Islander Commission, Foundation for Aboriginal and Islander Research Action, Mexico, Consejo Nacional de Ayllus y Marcas del Qullasuyu , CONAMAQ, Asamblea del Pueblo Guarani, Zo National Students Federation.